

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	8:06CR98
Plaintiff,)	
)	
vs.)	ORDER
)	
JEROME ELLIS,)	
)	
Defendant.)	

This matter is before the court on the motion of Michael L. Smart to withdraw as counsel for defendant Jerome Ellis (Ellis) because Mr. Smart is joining the office of the Federal Public Defender in the Northern District of Iowa (Filing No. 68). Mr. Smart was appointed as counsel for the defendant on April 21, 2006, pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska (Filing No. 10).

IT IS ORDERED:

1. Mr. Smart's motion to withdraw (Filing No. 68) is granted, and Mr. Smart has leave to withdraw as counsel for Ellis.
2. Donald B. Fiedler, 503½ South 11th Street, #1, Omaha, NE 68102, (402) 346-6263, is appointed to represent Ellis for the balance of these proceedings. Mr. Fiedler shall file an appearance in this matter forthwith.
3. Mr. Smart shall forthwith provide Mr. Fiedler with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Smart which are material to Ellis's defense.

IT IS FURTHER ORDERED that the Clerk shall provide a copy of this order to Mr. Fiedler and the Office of the Federal Public Defender.

IT IS FURTHER ORDERED that Mr. Smart shall submit his final CJA voucher to the office of the Federal Public Defender within forty-five (45) days of this order.

DATED this 8th day of June, 2007.

BY THE COURT:
s/Thomas D. Thalken
United States Magistrate Judge